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Attorneys for Defendants
7 *Stephen Powers and Harold Wickham*

8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 KEITH A. WARREN,
11 Plaintiff,
12 vs.

13 NEVADA DEPARTMENT OF
CORRECTIONS, et al.,
14 Defendants.
15

Case No. 3:17-cv-00228-MMD-WGC

**MOTION FOR EXTENSION OF TIME TO
RESPOND TO REQUEST FOR ADMISSIONS**

16 Defendants, Stephen Powers and Harold Wickham, by and through counsel, Aaron D. Ford,
17 Nevada Attorney General, and Peter E. Dunkley, hereby submit this Motion for Extension of Time to
18 Serve Discovery Responses to Plaintiff's Request for Admissions, set one, (First Request). This
19 Motion is based on Federal Rule of Civil Procedure 6(b)(1)(A), the following Memorandum of Points
20 and Authorities, and all papers and pleadings on file in this action.

21 **MEMORANDUM OF POINTS AND AUTHORITIES**

22 **I. ARGUMENT**

23 Defendants respectfully requests a twenty-one (21) day extension of time out from the current
24 deadline of September 30, 2019, to serve responses to Plaintiff's Request for Admissions. Federal Rule
25 of Civil Procedure 6(b)(1) governs extensions of time and provides as follows:

26 When an act may or must be done within a specified time, the court may, for
27 good cause, extend the time: (A) with or without motion or notice if the court
28 acts, or if a request is made, before the original time or its extension expires; or
(B) on motion made after the time has expired if the party failed to act because of
excusable neglect.

1 In this case, there is a motion for leave to amend the operative complaint which is currently
2 pending before the Court. (See ECF Nos. 32, 33, 34.) Accordingly, a short delay in discovery
3 responses will not prejudice the Plaintiff from prosecuting his claims, which may be dependent on the
4 Court's Order on the proposed amended complaint.

5 Defendants' request is timely and its nature will not hinder or prejudice Plaintiff's case, but will
6 allow for accurate responses to Plaintiff's discovery requests. Counsel for Defendant has been working
7 with Mr. Wickam's office in order to obtain responses from Mr. Wickham. Our efforts are ongoing and
8 we expect to have responses within the next 21 days, which will allow Defendant adequate time to
9 respond to the discovery and serve the responses.

10 The requested twenty-one (21) day extension of time should permit Defendant time to
11 adequately research and respond to Plaintiff's discovery requests. Defendant asserts that the requisite
12 good cause is present in light of the pending motion to amend, which would warrant the requested
13 extension of time.

14 For these reasons, Defendant respectfully requests a twenty-one (21) day extension of time from
15 the current deadline to serve responses to the request for admissions in this case, with a new deadline up
16 to and including Monday, October 21, 2019.

17 DATED this 30th day of September, 2019.

18 AARON D. FORD
19 Attorney General

20 By: /s/ Peter E. Dunkley
21 PETER E. DUNKLEY, Bar No. 11110
22 Deputy Attorney General

Attorneys for Defendants

23 **IT IS SO ORDERED**

24 DATED: October 1, 2019

25 William G. Cobb

26 UNITED STATES MAGISTRATE JUDGE
27
28

1 **CERTIFICATE OF SERVICE**

2 I certify that I am an employee of the Office of the Attorney General, State of Nevada and that
3 on this 30th day of September, 2019, I caused a copy of the foregoing, **MOTION FOR EXTENSION**
4 **OF TIME TO RESPOND TO REQUEST FOR ADMISSIONS** , to be served, by U.S. District Court
5 CM/ECF Electronic Filing on the following:

6
7 Keith Warren, #23562
8 c/o LCC Law Librarian
9 Lovelock Correctional Center
10 1200 Prison Road
11 Lovelock, NV 89419
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13 /s/ Caitie Collins
14 An employee of the
15 Office of the Attorney General
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